

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF JUVENILE JUSTICE SERVICES  
POLICY AND PROCEDURES

Policy No: 01-08	Effective Date: 05/09/07	Revision Date: 05/09/07
Subject: Criminal Record Checks		

**I. Policy Statement**

Beginning on March 1, 2007, the Division and its contracted providers shall complete a background criminal investigation on all proposed employees and volunteers prior to employment, and annually thereafter.

**II. Rationale**

The purpose of this policy is to establish guidelines and consistent hiring practices in regards to hiring ex-offenders. Initial and annual background criminal investigations, as a condition of employment, will ensure consistent standards and enhance the safety and security of the juveniles in our care.

**III. Definitions**

“BCI” is the Bureau of Criminal Investigation, where JJS designated and trained personnel submit personal information, i.e., name, date of birth, drivers license number, Social Security number, etc., to identify criminal convictions that may prohibit a person from providing employed or volunteer services to juveniles, according to Division policy.

**III. Procedures**

- A. All potential employees, and persons providing volunteer services to juveniles in the Division, shall complete a background investigation prior to employment.
- B. Employees and volunteers convicted of a misdemeanor or a felony, while employed by the Division, are required to report the conviction to the assistant program director (APD).
- C. All employees and volunteers hired after March 1, 2007, shall submit to an annual background criminal investigation, as a condition of employment. Investigation results with convictions of a misdemeanor or a felony, as described in the following procedures, may be subject to disciplinary action up to and including termination.
- D. A person convicted of a felony shall not be employed by, or volunteer for, the Division to provide services to juveniles. Volunteers with felonies may be approved by an APD for one-time or short-term events only (i.e., a one-time speaker).

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- E. A person convicted of a misdemeanor involving an offense identified in the Utah Criminal Code as offenses against family, against a child, pornography, prostitution, or any type of sexual offense, shall not be employed by or volunteer for the Division to provide services to juveniles. Because of its complicated nature, individual circumstances of domestic violence may be reviewed and considered by the Executive Management Team (EMT), who will approve or deny employment.
- F. If a person has been convicted within the last five (5) years of a misdemeanor, but **not** involving offenses identified in the Utah Criminal Code, as offenses against the family, against a child, pornography, prostitution, or any type of sexual offense, a review of the individual circumstances will be conducted and the hire will be approved or denied by the EMT. The EMT has the option not to hire the individual, even if it has been approved.
- G. If the person is found to have no criminal history, or if the only offenses are misdemeanors not involving offenses identified in the Utah Criminal Code, as offenses against family, against a child, pornography, prostitution, or any type of sexual offense, and the conviction is older than five (5) years, the person is eligible to be hired or volunteer, but may still be approved or denied by the APD, based on the individual circumstances.
- H. A person convicted of a misdemeanor for distribution or production of illegal drugs within the last five (5) years, shall not be employed by, or volunteer for the Division to provide services to juveniles.
- I. A person convicted of a misdemeanor for distribution, or production of illegal drugs, where the conviction is older than five (5) years, may be approved by the PD for employment or to volunteer, based on individual circumstances.
- J. A person convicted of misdemeanor drug use and/or possession of illegal drugs, within the last five (5) years, may be approved by the EMT for employment, or to volunteer, based on individual circumstances.

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**IV. Continuous Renewal**

This policy shall be reviewed three (3) years from its effective date to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Board of Juvenile Justice Services, and is approved upon the signature of the Director.

_____	_____05/09/07_____
Jody Valantine, Chair	Date
Board of Juvenile Justice Services	

_____	_____05/09/07_____
Dan Maldonado, Director	Effective/Revision Date
Division of Juvenile Justice Services	